

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

FILED  
ASHEVILLE, NC

FEB - 7 2023

U.S. DISTRICT COURT  
W. DISTRICT OF N.C.

_____	)	DOCKET NO. 1:23-cr-00008-MR-WCM
UNITED STATES OF AMERICA	)	
	)	<u>BILL OF INDICTMENT</u>
v.	)	
	)	Violations:
BRANDON KEITH HARDY	)	18 U.S.C. § 2252A(a)(1)
a/k/a "PhreakIN"	)	18 U.S.C. § 2252A(a)(2)(A)
a/k/a "phreakin"	)	
_____	)	

THE GRAND JURY CHARGES:

COUNT ONE

On or about October 17, 2022, in Buncombe County, within the Western District of  
North Carolina and elsewhere, the defendant,

BRANDON KEITH HARDY  
a/k/a "PhreakIN"  
a/k/a "phreakin"

did knowingly transport child pornography, as defined in Title 18, United States Code, Section  
2256(8)(A), using any means and facility of interstate and foreign commerce, and in and  
affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Section 2252A(a)(1).

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**COUNT TWO**

On or about October 17, 2022, in Buncombe County, within the Western District of North Carolina, and elsewhere, the defendant

BRANDON KEITH HARDY  
a/k/a "PhreakIN"  
a/k/a "phreakin"

knowingly distributed and attempted to distribute child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that had been mailed, using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Section 2252A(a)(2)(A).

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## NOTICE OF FORFEITURE

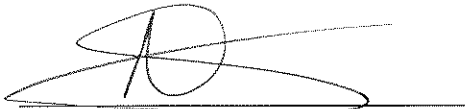
Notice is hereby given of 18 U.S.C. § 2253; 18 U.S.C. § 924(d); 18 U.S.C. § 2461(c); and 21 U.S.C. § 853. The following property is subject to forfeiture in accordance with 18 U.S.C. § 2253, 18 U.S.C. § 924(d); 18 U.S.C. § 2461(c); and 21 U.S.C. § 853:

- a. Any visual depiction or book, magazine, periodical, film, videotape, or other matter which contains any such depiction, which was produced, transported, mailed, shipped, or received during the violations set forth in this bill of indictment;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from proceeds of the violations;
- c. Any property, real or personal, used or intended to be used to commit or promote the violations; and
- d. If, as set forth in 21 U.S.C. § 853(p), any property described in (a), (b), or (c) cannot be located upon the exercise of due diligence, has been transferred or sold to, or deposited with, a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, all other property of the defendant/s to the extent of the value of the property described in (a), (b) and (c).

A TRUE BILL:

GRAND JURY FOREPERSON

DENA J. KING  
UNITED STATES ATTORNEY



ALEXIS SOLHEIM  
ASSISTANT UNITED STATES ATTORNEY